



# House of Representatives

General Assembly

**File No. 183**

February Session, 2002

House Bill No. 5076

*House of Representatives, March 27, 2002*

The Committee on Environment reported through REP. STRATTON of the 17th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

## **AN ACT CONCERNING COSTS ASSOCIATED WITH QUARANTINED ANIMALS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22-333 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2002*):

3 Any dog, cat or other animal captured or impounded under the  
4 provisions of this chapter shall be redeemed by the owner or keeper  
5 thereof, or the agent of such owner or keeper, upon proper  
6 identification, and presentation to the municipal animal control officer  
7 of a license and tag for such dog, and upon the payment by such  
8 owner or keeper or his agent of (1) the redemption fee established by  
9 the municipality, which shall not exceed fifteen dollars, and (2) the cost  
10 of advertising incurred under the provisions of section 22-332;  
11 provided no dog, cat or other animal seized for doing damage under  
12 the provisions of section 22-355, as amended, shall be released except  
13 upon written order of the commissioner, the Chief Animal Control

14 Officer or an animal control officer. When the owner or keeper of any  
15 such impounded dog, cat or other animal fails to redeem such dog, cat  
16 or other animal within twenty-four hours after receiving notification to  
17 do so, or, where the owner was unknown, within twenty-four hours  
18 after notification was effected by means of publication in a newspaper,  
19 such owner or keeper shall pay, in addition to such redemption fee  
20 and the cost of advertising, the amount determined by the  
21 municipality to be the full cost of detention and care of such  
22 impounded dog, cat or other animal. In addition, any owner or keeper  
23 of any such impounded dog, cat or other animal who fails to redeem  
24 such dog, cat or other animal within one hundred and twenty hours  
25 after receiving notification to do so shall have committed an infraction.  
26 The legislative body of the municipality shall set any fees imposed by  
27 the municipality under this section.

28 Sec. 2. Subsection (c) of section 22-358 of the general statutes is  
29 repealed and the following is substituted in lieu thereof (*Effective July*  
30 *1, 2002*):

31 (c) If such officer finds that the complainant has been bitten or  
32 attacked by such dog, cat or other animal when the complainant was  
33 not upon the premises of the owner or keeper of such dog, cat or other  
34 animal the officer shall quarantine such dog, cat or other animal in a  
35 public pound or order the owner or keeper to quarantine it in a  
36 veterinary hospital, kennel or other building or enclosure approved by  
37 the commissioner for such purpose. When any dog, cat or other animal  
38 has bitten a person on the premises of the owner or keeper of such  
39 dog, cat or other animal, the Chief Animal Control Officer, any animal  
40 control officer, any municipal animal control officer or regional animal  
41 control officer may quarantine such dog, cat or other animal on the  
42 premises of the owner or keeper of such dog, cat or other animal. The  
43 commissioner, the Chief Animal Control Officer, any animal control  
44 officer, any municipal animal control officer or any regional animal  
45 control officer may make any order concerning the restraint or  
46 disposal of any biting dog, cat or other animal as the commissioner or  
47 such officer deems necessary. Notice of any such order shall be given

48 to the person bitten by such dog, cat or other animal within twenty-  
 49 four hours. The owner [shall pay five dollars per day for the board of  
 50 any such dog, cat or other] of such animal [while it is quarantined in a  
 51 public pound in addition to any other legal fees that may be due.] shall  
 52 pay all fees as set forth in section 22-333, as amended by this act. On  
 53 the fourteenth day of such quarantine the dog, cat or other animal shall  
 54 be examined by the commissioner or someone designated by the  
 55 commissioner to determine whether such quarantine shall be  
 56 continued or removed. Whenever any quarantine is ordered under the  
 57 provisions of this section, notice thereof shall be given to the  
 58 commissioner and to the person bitten or attacked by such dog, cat or  
 59 other animal within twenty-four hours. Any owner or keeper of such  
 60 dog, cat or other animal who fails to comply with such order shall be  
 61 fined not more than two hundred fifty dollars or imprisoned not more  
 62 than thirty days or both. If an owner or keeper fails to comply with a  
 63 quarantine or restraining order made pursuant to this subsection, the  
 64 Chief Animal Control Officer, any animal control officer, any  
 65 municipal animal control officer or regional animal control officer may  
 66 seize the dog, cat or other animal to insure such compliance and the  
 67 owner or keeper shall be responsible for any expenses resulting from  
 68 such seizure. Any person aggrieved by an order of any municipal  
 69 animal control officer, the Chief Animal Control Officer, any animal  
 70 control officer or any regional animal control officer may request a  
 71 hearing before the commissioner within fourteen days of the issuance  
 72 of such order. After such hearing, the commissioner may affirm,  
 73 modify or revoke such order as the commissioner deems proper. Any  
 74 dog owned by a police agency of the state or any of its political  
 75 subdivisions is exempt from the provisions of this subsection when  
 76 such dog is under the direct supervision, care and control of an  
 77 assigned police officer, has been vaccinated annually and is subject to  
 78 routine veterinary care.

This act shall take effect as follows:	
Section 1	July 1, 2002
Sec. 2	July 1, 2002

**ENV**      *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

### **OFA Fiscal Note**

#### **State Impact:**

<b>Fund-Type</b>	<b>Agency Affected</b>	<b>FY 03 \$</b>	<b>FY 04 \$</b>
GF - Revenue Gain	Department of Agriculture, Judicial	Minimal	Minimal

Note: GF=General Fund

#### **Municipal Impact:**

<b>Effect</b>	<b>Municipalities</b>	<b>FY 03 \$</b>	<b>FY 04 \$</b>
Revenue Gain-Special Fund	All Municipalities	See Below	See Below

#### **Explanation**

Requiring that all animal owners, not just dog owners, have the same duties that dog owners have in retrieving their captured or impounded pets, will increase revenue to municipal dog funds. The exact impact will vary from town to town, but overall is anticipated to be minimal. This is due to requiring animal owners to pay the \$15 maximum redemption fee, the costs of advertising, the full cost of detention and care if they fail to redeem an animal within 24 hours of receiving notice and be subject to an infraction for violation of the laws. Replacing the \$5 fee that animal owners must pay when their animals are quarantined with the fee structure for captured or impounded animals as determined by municipalities is anticipated to increase revenue to the dog funds by approximately \$5 to \$15 per animal per day depending upon the size and type of animal.

Based on past offenses committed, the expansion of the law is anticipated to minimally increase revenue to the state General Fund. Total fines, fees and surcharges under Sec. 22-333, CGS was \$240 in FY 01.

**OLR Bill Analysis**

HB 5076

**AN ACT CONCERNING COSTS ASSOCIATED WITH  
QUARANTINED ANIMALS****SUMMARY:**

This bill imposes on all animal owners the same duty dog owners currently have to redeem their captured or impounded pets. Specifically, these animal owners:

1. must submit proper identification and pay a fee of up to \$15 plus any advertising costs to the municipal animal control officer before redeeming the animal;
2. must pay the full cost of detention and care plus the above stated costs if they fail to redeem their animal within 24 hours of receiving notice from the animal control officer or, for unknown owners, after the officer places notice in the newspaper;
3. commit an infraction if they do not redeem their animal within 120 hours (five days) of the date they receive notice; and
4. are prohibited from retrieving an animal that bit a person without first obtaining written consent from the agriculture commissioner or chief animal control officer, or from an animal control officer.

The bill replaces the \$5 per day fee that animal owners must pay when their animals are quarantined in a public pound for biting or attacking someone else with the fee structure for captured or impounded animals.

EFFECTIVE DATE: July 1, 2002

**COMMITTEE ACTION**

Environment Committee

Joint Favorable Report

Yea 27      Nay 0